



Legislation Text

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A Resolution Initiating the Conflict Resolution Act (B)

Resolution No. 171065

A Resolution of the City Commission of the City of Gainesville, Florida, initiating conflict resolution procedures per Section 164.101, Florida Statutes, the "Florida Governmental Conflict Resolution Act", pertaining to a conflict between the City of Gainesville; Alachua County, Florida; and the Sheriff of Alachua County, Florida; and providing an immediate effective date.

In October 2006, the City and the County entered into a Fire Services Assistance Agreement (the "FSAA") effective October 1, 2006 and remaining in effect until terminated as provided therein. Under the FSAA, the City and the County agreed to provide automatic fire services aid to each other through the response of the closest available unit irrespective of jurisdictional boundary. The FSAA provided for reimbursement to the local government providing assistance within the jurisdiction of the other local government.

Historically, dispatch of the closest unit has resulted in the City responding to more calls in the County than the County does in the City. Consequently, the County has paid more reimbursement to the City each year, than the City has paid to the County. In December 2015, the County and City agreed to temporarily suspend reimbursement payments under the FSAA through September 30, 2017. The reimbursement payments were to recommence on October 1, 2017. In May 2017, the County notified the City that it intended to terminate the FSAA effective June 1, 2018.

Because fire service calls are dispatched by the Combined Communication Center (the "CCC") (which is operated by the Sheriff) pursuant to an Interlocal Agreement between the Sheriff, the City, and the County, the City put the CCC on notice that as a result of the County's termination of the FSAA, commencing on June 1, 2018, the CCC should dispatch fire service calls by jurisdiction meaning County Fire Rescue will be dispatched for calls in the County and Gainesville Fire Rescue will be dispatched for calls in the City.

The Sheriff (and her staff) made a presentation to the City Commission at its meeting on April 5th, at which the Sheriff informed the City Commission that she would continue to direct the CCC to dispatch the quickest response unit (as if the FSAA still existed) after June 1. This will result in City fire units being dispatched to fire calls in the County without the County compensating the City for the costs of such service.

A portion of the City's fire service costs are funded through the imposition of a Fire Services Special Assessment. The Fire Services Special Assessment requires that the cost of providing such service be fairly and reasonably apportioned among the properties that receive the benefit of the fire service. The City cannot expend funds received through the fire special assessment to provide services on properties in the County that do not pay the City assessment.

As June 1, 2018 is quickly approaching with no resolution to this issue, the City, by passage of this Resolution is stating its intent to initiate the Florida Governmental Conflict Resolution process as set forth in Chapter 164, Florida Statutes, to attempt to resolve the conflict. Within 5 days of passage of this Resolution, a letter and

certified copy of this Resolution will be sent by certified mail to the County Manager and the Chief Administrator of the Sheriffs' Office proposing a date and location for a public meeting between the City Manager, the County Manager and the Chief Administrator of the Sheriffs' Office. If no resolution is reached, a joint public meeting will be held between the City Commission, the County Commission and the Sheriff within 50 days of the receipt of the letter initiating the conflict resolution process. If no resolution is reached at this meeting, the governmental entities participate in a mediation prior to engaging in litigation.

The City Commission adopt the proposed resolution.